

Two Entrances to Miller & Rhoads' Broad St., Sixth St.

THE WEATHER—Friday Fair.

To-day Will be the Greatest Remnant Day of the Season

Why? Because to-day is the second day of December, with Christmas only 23 days away and the odds and ends of the season's stock must be cleared up at once to give Holiday merchandise a clear track.

Extraordinary reductions have been made all over the store in seasonable merchandise—goods that you can use now.

We can't go into detail this morning, but refer you to last night's News Leader for full particulars.

Just one department, though that we'll mention in these columns.

Extraordinary Bargains in Carpets.

AXMINSTERS in beautiful colorings and designs, splendid parlor patterns with border; plenty of each style to cover several rooms. THE PRICE OF THESE CARPETS—MADE, LAID AND LINED—HAS BEEN MADE 98c YARD.

VELVET CARPETS in popular designs for Hall, Stair and Parlor. Made, laid and lined.

FOR ONLY 85c YARD.

Miller & Rhoads

May Manton Patterns, 10c. each on sale in our Trimming Department.

FEDERAL COURT TO STAND FIRM

Refuses to Modify Its Opinion in Wright vs. Gorman-Wright Case.

COURT'S LONGEST SESSION

More Than One Hundred and Twenty-five Lawyers Brought Here.

In the United States Circuit Court of Appeals yesterday the court refused to modify its opinion in the lower court to dismiss the case of Wright vs. the Gorman-Wright Tobacco Company case and J. N. Gorman.

This is a local case in which the appellate court had rendered an opinion remaining the case to the Circuit Court of the United States with direction that the case be dismissed for the reason that the court had no jurisdiction. Mr. Wright then filed his petition asking that the opinion be modified in that part which directed the lower court to dismiss the case. Mr. S. S. P. Patterson appeared for Mr. Wright, and Messrs. George A. Hannon and A. L. Holladay for the Gorman-Wright Company and J. N. Gorman.

The court put in a busy day yesterday, Circuit Judges Goff and Pritchard and District Judges Brawley and Waddill, the latter two sitting alternately.

The Cases Argued.

These cases were argued during the day: No. 55, Buckhannon and Northern Railroad Company, petitioner, appellant, vs. John W. Davis, receiver, Parkersburg Railroad Company, appellee; appeal from the Circuit Court at Parkersburg, W. Va., argued by W. S. Meredith, of Fairmont, W. Va., for the appellant, and by John W. Davis, of Parkersburg, W. Va., for appellee; Mr. J. B. Bessell, of Parkersburg, W. Va., who was to appear with him was prevented from so doing by an accident which happened to him on the street car here yesterday, in which he had a rib broken.

No. 56, Kenova Loan and Trust Company, petitioner, vs. John F. Graham, trustee of O. M. Page, bankrupt, respondent; on petition for review from the District Court at Huntington, W. Va., argued by F. B. Enslow, of Huntington, W. Va., for the petitioner, and by Herbert Fitzpatrick, of Huntington, W. Va., for the respondent, and submitted.

No. 57, Harrison Wagner, petitioner, vs. Judge Thomas J. Morris, United States District Judge, respondent. On petition for a mandamus; deferred for further inquiry by counsel.

In Call To-day.

No. 58, International Text-book Company, plaintiff in error, vs. T. B. Hearty, defendant, in error; in error to the Circuit Court at Raleigh, N. C. To be argued by John W. Rhoads, of Raleigh, N. C., and David C. Harrington, of Raleigh, N. C., for the plaintiff in error, and J. C. L. Harris, of Raleigh, N. C., for the defendant in error.

No. 59, V. A. Wilder et al., plaintiffs in error, vs. United States of America, defendant in error; in error to Circuit Court at Huntington, W. Va. To be argued by Mr. F. S. Stiles for the plaintiffs in error, and by Malcolm Jackson, of Charleston, W. Va., for the defendant in error. Continued until December 10th.

Mr. Herbert Fitzpatrick, of Huntington,

UNIQUE CASE FEDERAL COURT

Tribunal Denounces Alleged Judgments to be Fraudulent. Lawyers Perplexed.

ATTORNEY WAS INNOCENT

He Is Advised by Court to Investigate Aspects of His Cause.

The routine of argument of cases before the United States Circuit Court of Appeals was varied yesterday and great interest was added to the closing hour of the session by the introduction of a sensational case. The cause in question was entitled Harrison Wagner, petitioner, vs. Judge Thomas J. Morris, United States District Judge, respondent; on petition for a writ of mandamus to have been rendered by the court to have been rendered against a number of persons and among them Judge Morris himself, by Wagner, who has figured conspicuously in the Federal and State Courts of Virginia and Maryland and other States, as a man claiming large judgments against many prominent persons.

Mr. T. D. Wood, of Columbus, O., now practicing in Washington, was the attorney representing Wagner, and claimed, in the course of his animated colloquy with the court, that the judgments had been rendered to him by a certain well known lawyer, whom he named, and that he himself did not know Mr. Wagner, nor the merits of the cause, or the validity of the judgments rendered against him.

Fraudulent, Says Court.

Before the attorney had gotten far into the statement of the case he was interrupted by the court and informed that judgments of millions of dollars had been fraudulently secured in Dickinson county, Va., and elsewhere, but upon the discovery that no appearance had been made by the defendants, the judgments had been dismissed.

Mr. Wood protested that if the judgments he held were fraudulent he was wholly innocent of the fact, and never had appeared before. He was setting merely as a courtesy to a brother attorney, and only knew that the judgments he held were apparently valid. He had no intimation that these judgments had ever been before the courts, and been passed upon and had found no record in any of the State or Federal courts. He had never been connected with anything questionable, and that he had served the United States for four years as a soldier, and that if he had been imposed upon he would make it warm for the party responsible. At this point Judge Goff quickly interrupted him, saying that the court would not advise any violence.

Many Questions Asked.

The attorney became involved in a running colloquy with Judges Goff, Brawley and Pritchard, which at times assumed the similitude of a cross-examination. Judge Brawley read from a Baltimore paper of June 22, 1904, an account of an application by Wagner in the United States Circuit Court at St. Louis, Mo., for a writ of habeas corpus, and a permission to file a number of judgments obtained by Wagner in the Dickinson County Court, Virginia, aggregating about six millions of dollars. Among the judgments were those of Judge Thomas J. Morris, of the United States District Court, Wagner is referred to in the publication as "The Beatty Doctor," which holds the boards at the Bijou all next week.

MR. WELLS APPEALS.

Construction of Ordinance to be Determined by Judge Witt.

Justice Crutchfield decided yesterday that the Academy of Music management had disregarded the city ordinance by allowing persons to stand in the foyer of that theatre during a performance, and Manager Wells was fined \$10. An appeal was promptly noted by Attorney Goff, and the case will be argued before Judge Witt during the December term of the Hustings Court, the date to be fixed next week the beginning of the December term.

The Point of Controversy.

The point of controversy is the interpretation of the ordinance.

Had a Fine Meeting.

The meetings at the Grace Street Baptist Church have been concluded. There were about twenty-two who have signed their intention of uniting with the church as the result of Dr. Vine's efforts, and the members of the church express themselves as having been greatly impressed and edified. Dr. Vine won all hearts by his simple, earnest, eloquent preaching, and returned to his home in Norfolk, carrying the good wishes and benedictions of the entire Grace Street congregation.

'Squire Michaels's Trip.

Squire Michaels, one of the justices of the peace in Jefferson ward, will leave tomorrow for a trip to New York for stay of several weeks. He will spend most of his time with relatives.

Car Company Reported.

The Passenger and Power Company has been reported by the police for failing to sprinkle the streets along the track of the various lines. The case will be heard on the 6th.

Trip to the Grand Jury.

Two young negroes named Arthur Watson and Clarence Tinsley, were sent to the grand jury yesterday on the charge of cutting Thomas Stutley.

Car Company Reported.

Charles Wells, a white man, arrested by Special Officer Duke, was sent to the grand jury yesterday by Justice Crutchfield on the charge of breaking into a Chesapeake and Ohio car and taking away a lot of shoes, valued at \$25.00.

Last Lecture on Water.

Dr. E. C. Levy will deliver his fourth and last lecture on water tomorrow at 8:15 P. M. at the Medical College of Virginia. The lecture will be illustrated. Men of Richmond are invited to attend.

Costly to Beat a Woman.

William Harris, colored, paid \$10 in the police court yesterday on the charge of beating Bertha Nelson.

Suits Decided.

In the Law and Equity Court yesterday the jury in the case of J. I. Hester, plaintiff, vs. Hugh Campbell, defendant, found for the defendant, and the plaintiff's attorney was given sixty days in which to file bills of exception. The suit was for \$25,000 alleged damages.

In the City Circuit Court in the case of the Richmond Standard Steam Ship & Iron Company vs. P. C. Dinwiddie, Jr., the jury was waived and the court rendered a verdict for the defendant. This suit was for \$25,000.

Supreme Court Proceedings.

Proceedings before the Supreme Court of Appeals yesterday were: Bayless vs. Southern Railway Company, fully argued by Wyndham R. Mervin, Jr. for plaintiff in error and Henry W. Anderson and B. B. Munford for defendant in error and submitted.

Fairley vs. Fairley. Partly argued by A. H. Sands for plaintiff in error and continued until today.

The next cases to be heard by the City of Richmond vs. Gay's Adm.; Richmond Passenger & Power Company vs. Steger, and Harrison vs. Thomas. Nos. 10, 11 and 12 on argument docket.

KICK AND SCREAM

Baby's Awful Suffering from Eczema.

Could Not Hold Her. She Tore Her Face and Arms.

Cuticura Saved Her Life, So Mother Says.

"When my little girl was six months old, she had eczema. We had used cold creams and all kinds of remedies, but nothing did her any good. In fact, she kept getting worse. I used to wrap her hands up, and when I would dress her, I had to put her on the table for I could not hold her. She would dress her, and when she could, she would tear her face and arms almost to pieces. I used four boxes of Cuticura Ointment, two cakes of Cuticura Soap, and gave her the Cuticura Resolvent, and she was cured, and I see no traces of the humor left. I can truthfully say that they have saved her life, and any one suffering as she did, I should advise them to give Cuticura a fair trial." Mrs. G. A. CONRAD, Libanon, N. H., Feb. 7, 1905.

Five years later, viz., Feb. 23, 1905, Mrs. Conrad writes:

"It is with pleasure that I can inform you that the cure has been permanent as it is now six years since she was cured, and there has been no return of the disease since, and I have advised a lot of friends to use the Cuticura Remedies in all diseases of the skin."

Instant relief and refreshing sleep for skin-tormented babies, and rest for tired, fretted mothers, in warm baths with Cuticura Soap, and gentle treatment with Cuticura Ointment, the great skin cure and parent of emollients, to be followed in severe cases by mild doses of Cuticura Resolvent. This is the purest, sweetest, most speedy, permanent and economical treatment for torturing, disgusting, itching, burning, bleeding, scaly, crusted and pimply skin and scalp humours, eczema, rashes and irritations.

Read throughout the world. Cuticura Resolvent, 50c. per bottle. Cuticura Soap, 10c. per cake. Cuticura Ointment, 25c. per tin. Depot: London, E. C. Harrison House, 7, Paris, 15, rue de la Paix. Send for "Cuticura Skin Book."

A WIFE FIRES FATAL SHOT AT HER HUSBAND

Norvell Evans, Colored Barber, Instantly Killed—Woman Pleads Self-Defense.

Norvell Evans, a negro barber, was shot and killed by his wife, Bettie, in their room at No. 310 North Madison Street, yesterday morning about 7 o'clock.

The couple had a quarrel earlier in the morning when Evans went home. The woman said last night that the quarrel arose over a trivial matter, and waxed warmer when she stated that she was going to Clifton Forge to work out in service.

She claims that he threatened her life, and ran after her with a dangerous looking knife. In terror she seized the pistol in order to frighten the man. She says she pulled the trigger during the excitement. There were two shots fired, and both bullets entered the head just above the left ear. After firing, the woman ran to the Second Police Station and gave herself up. Sergeant Sowell and Officers Barker, Stockman and Bedford were on duty. They found the negro lying on the bed. In his hand he clasp a bad looking knife.

There was lots of excitement in the neighborhood, which quieted down shortly, and after viewing the body, Coroner Taylor turned it over to Undertaker Price for burial.

An inquest was held yesterday, and a verdict was returned that the man came to his death at the hands of the woman. She will appear in the Police Court this morning to answer to the charge of murder. Her plea will be self-defense.

Had Fine Hunting Trip.

Mr. George L. Haynes, of Richmond, who last returned from a hunting trip in Goodland county, near Irvin, reports that he has had two fine days' sport, bagging two quail, four pheasants and six rabbits. He also chased a fine buck for half mile and finally lost him.

Will Elect Officers To-night.

Prof. R. B. Ingham will lead the devotional exercises of Broad Street Epworth League to-night at 8 o'clock. There will be a business meeting and election of officers for the ensuing year. All the members are urged to be present.

State Medical Board.

Governor Montague has appointed the following members of the State Board of Medical Examiners: Dr. H. W. W. Martin, of Lynchburg; Lewis E. Harvey, of Danville; J. H. Neff, of Harrisonburg; V. S. Culp, of Portsmouth; W. W. Chadwell, of City; Paulus E. Irving, of London; P. Edwards, of Richmond.

Master Latane Sick.

Master Latane, the only son of Governor Montague, is sick of fever at the mansion. While he is under the care of the family physician, the little fellow is not seriously ill.

Are Now at Home.

Mr. and Mrs. Joseph H. Hecke, who were recently married in Washington, have returned from their bridal tour and are at home to their friends, No. 36 W. Clay Street.

SICK HEADACHE

Positively cured by these Little Pills. They also relieve Distress from Dyspepsia, Indigestion and Too Heart Eating. A perfect remedy for Dizziness, Nausea, Drowsiness, Bad Taste in Mouth, coated Tongue, Pain in the Side, TORPID LIVER. They regulate the Bowels. PURELY VEGETABLE.

SMALL PILL. SMALL DOSE. SMALL PRICE.

CURE SICK HEADACHE.

Genuine Must Bear Fac-Simile Signature

Wm. Wood

THE COMMISSION WAS SUSTAINED

Supreme Court Decides Important Case Against N. and P. Belt Line.

IS AN IMPORTANT MATTER

Railroad Cannot Fix Charges for Putting Car on Scales.

The Supreme Court of Appeals of Virginia yesterday handed down an opinion again sustaining the State Corporation Commission in the case of the Norfolk and Portsmouth Belt Line Railroad Company vs. the State Corporation Commission. The railroad company appealed from an order of the commission fixing the charges for placing cars in position to be weighed on consignees' or shippers' individual track scales located at sidings leading to industries along the railroad line.

The railroad company had been imposing a charge of fifteen cents per car for each car placed on the scales until about a year ago, when the rate was increased to fifty cents a car. The patrons of the railroad company, who the State Corporation Commission said the rate was exorbitant, and the commission, after hearing the case, entered an order fixing twenty-five cents per car as the rate for the service rendered.

From this order the railway company appealed, and assigned these grounds of error:

First, that placing cars on private track scales in position to be weighed is a matter of private contract, involving a non-public service, and the State Corporation Commission cannot require a railroad company to perform for customers having switching connections with the roads, and therefore cannot fix the charges therefor.

Second, that even if the commission has jurisdiction over the subject, the rate of service fixed by it is unreasonable and unjust.

Neither Point Sustained.

Judge Stafford G. Whitte, in a carefully prepared opinion, reviews the case, and does not sustain either exception, affirming the order of the commission. The court holds that the police power of the State is a governmental function, and that no subordinate agency thereof can alienate or surrender by grant, contract or other delegation. The duties of public service corporations and the power of States over them are clearly established by numerous court decisions, and that the State Corporation Commission is the constitutionally established instrumentality through which the State exercises its governmental powers for the regulation and control of public service corporations.

The section of the constitution establishing the commission with power is quoted, and the court holds that this affords ample authority for the action of the commission in this case. The court is of opinion that the service in question is cognate to and so intimately connected with the public interest in the carriage and delivery of freight by the railroad company to patrons along its route as to constitute a part of such service, and consequently is subject to governmental control. The court further holds that the second assignment of error is likewise untenable, and that evidence fully sustains the judgment of the commission in that regard.

Berry vs. McGhee.

In the case of John D. Langhorne vs. W. H. McGhee et al., Judge John A. Buchanan writes the opinion of the court, affirming the judgment of the Circuit Court of Bedford county. This case is growing out of the partnership case of T. D. Berry and W. H. McGhee, who were indebted to the plaintiff on two negotiable notes aggregating \$3,041.16, including costs of protest. They conveyed the assets of the concern to a trustee to secure payment of the debt. McGhee was indebted to the plaintiff on a note of \$1,000, and an agreement was entered into by and between McGhee and Berry, in which it was recited that the property conveyed was the joint property of defendants, but that the relative rights of each to the partnership fund had not of each to the partnership fund had not been settled. McGhee had executed and delivered to plaintiff two negotiable notes, payable four months after date, and that the larger note had been given as collateral and security for McGhee's half of the debt secured by deed of trust, and that plaintiff had agreed to the return of these notes for a maximum period of twelve months. It was further agreed that McGhee's share of the assets of the firm of Berry & McGhee should be credited on the large note. The debt of the settlement between McGhee and Berry was given \$5,000 as his share of the assets of the firm. Meanwhile he had paid \$500 on the note of \$3,500, due plaintiff. This showed that McGhee was entitled to the whole of the proceeds of the sale of the partnership property, and as all this sum had gone to plaintiff on the joint note of Berry and McGhee, the latter had paid more than his share of the note. The trial court so found, and the appellate court affirmed the judgment of the Circuit Court, which is in favor of the defendants.

SIXTH ANNIVERSARY.

Mission Work to be Pushed.

Methodist Pastors to Speak of It. About the middle of this month the Nineteenth Street Mission, which has done such excellent work under the guidance of Rev. George H. Wiley, will celebrate its sixth anniversary and it is the purpose of the Executive Committee, which has held several meetings to consider the matter, to take vigorous steps to aid in the prosecution of the work.

On some Sunday during this month each Methodist pastor will devote his morning discourse to the work of the mission at Nineteenth and Main. The same afternoon there will be a great mass-meeting which will be addressed by prominent speakers.

The good done by the mission during its comparatively short life is incalculable. Judicious steps have been taken without regard to their cost.

LIVELY WRESTLING.

Sports Likely to Fill Casino To-night to See Russian Giants.

There will be some speedy and awful "brawls" beginning at 8:30 to-night in the Casino.

To add to the excitement promised by the management with the matches between the two giant Russian wrestlers, Kronsky and Alexandrovitch, the match between Otto Jensen and the match between the wild Texan, Enrico Bearskins, a chance at the honors with Jantzen, who is announced, would like to tame the athlete from the Lone Star State.

The Texan with the weird name has just returned from a series of successful bouts in Canada, and is anxious to lick either Jantzen or Benjie Jones, the

The Most Complete and Varied Stock of High-Class and Exclusive Cravenette Coats for Men and Boys Can be Found at Our Establishment.

Gans-Rady Company.

world's lightweight champion. As he will be at the Casino, ought to try for a match for good money with either of the two, Benjie Jones and Jantzen's managers have respectively announced that the Texan can get all the wrestling he wants and for all the prizes he may desire to struggle for.

Jones is in splendid condition, and says that he will put any man near his weight down on the mat in fifteen minutes or pay him \$50. He says he can handle any half dozen in an evening that may want to try.

Samuel Smith, who is to meet Jones, is heavier by far, but is said to be not unwilling to let either Otto, the Hollander, or the Texan try him out first. The Senator knows what he is up against, for Benjie defeated him last week in Hamp-

STIFF ADVANCE IN MILK PRICE

Dairymen Make Raise Because the Cost to Them Is Greater.

THE SCARCITY OF FEED

Farmers Charge Them More and They Seek Relief From Consumers.

Milk from 7c. to 8c. per quart. Cream from 30c. to 35c. per quart. Butter from 30c. to 35c. per pound.

The above are the advances that have been made in the prices of the articles of food named which are so essential in almost every home in the city.

At the leading dairies where inquiry was made last night, it was said that the scarcity of feed in the country, was the probable cause, and that on this account, the farmers and raised the price of the products to their handling them in the city.

The dairymen appeared to have no desire to put up the prices, but stated frankly that they had to have a reasonable profit as a result of their business.

"We will make no more," said one of them, "than we made some months ago under the old schedule, but when we have to pay advanced prices, of course, we are compelled in the very nature of things to advance the prices to our customers."

"The advance in the prices of milk will mean a great deal to the people of Richmond, for every home uses more or more of the commodities named in the schedule."

Have you tried Night Cold Cure for that cold? It will cure. Sold by all druggists. Prescription Druggist (Inc.) eight stores. Prices 10 cents per box, three for 25 cents.

You Get What You Buy Here.

Low Prices on Holiday Goods.

Mother's Gelatine, 5c Package, 4c
Mother's Gelatine, 10c Package, 8c
American Oats, Package, 7c

New Mixed Nuts, pound, 12c

New Citron, pound, 15c

L. L. Raisins, 3 pounds for, 25c

Dates, package, 6c

Large Layer Figs, pound, 12c

Figs, in pound packages, 10c

New Seeded Raisins, 8c

Lemon Peel, pound, 12c

Orange Peel, pound, 12c

Currants, 1 pound packages, pound, 8c

Loose Raisins, pound, 8c

Large Cocoanuts, each, 5c

Shredded Coconut, pound, 12c

New Prunes, 7 pounds for, 25c

Best Cream Cheese, 2 pounds for, 25c

Butcher's Lard, pound, 10c

Pillsbury Flour, barrel, \$7.00

Quaker Oats, package, 10c

Avena Oats, package, 9c

Mother's Oats, package, 9c

Cut HERRINGS, 3 dozen for, 25c

Best Bran, per hundred, \$1.15

Best Timothy Hay, per hundred, 85c

Good Mountain Roll Butter, pound, 15c

Catawba Wine, gallon, 45c

Blackberry Wine, gallon, 45c

Sherry Wine, gallon, \$1.00

Best Rum, gallon, \$2.50

Duffy's Malt Whiskey, bottle, 80c

North Carolina Corn Whiskey, gallon, \$2.00

Good Rye Whiskey for, gallon, \$2.00

J. S. Moore's Sons, Inc.

WHOLESALE AND RETAIL GROCERS.

STORES: 1724 East Main Street. 'Phone 507.

701 North 25th Street. 'Phone 1885.

...COUPON...

The Times-Dispatch Popular Preacher's Contest.

A magnificent four-volume set of Tissot's Life of Christ to be presented free to some Virginia minister.

I vote for